

Appl. No. 09/931,844
Amdt. dated August 31, 2005
Reply to Office Action of May 31, 2005

AFTER FINAL EXPEDITED PROCEDURE

REMARKS

Claims 1 to 52 were pending in the application at the time of examination. Claims 1 to 52 stand rejected as anticipated.

Claims 1 to 52 remain rejected under 35 U.S.C. §102(e) as being anticipated by Dutta, et al., U.S. Patent 6,615,212, hereinafter referred to as "Dutta."

Applicants respectfully traverse the anticipation rejection of Claim 1. Claim 1 recites in part:

a proxy server having a code section including instructions for receiving a request for data from a client, and making a determination whether the requested data should be rendered before transmission to the client; and

a processing server coupled to the proxy server and having a code section including instructions for receiving the rendering determination from the proxy server, rendering the requested data, and transmitting the rendered data to the client.

It is clear from the claim language alone that Applicants' invention includes both a **proxy server** and a **processing server**. Further, the claim language clearly delineates the functionality associated with each server: the proxy server includes the functionality necessary to receive a request for data and make a determination regarding rendering of the data. The processing server, on the other hand, includes the functionality necessary to receive the rendering determination from the proxy server, render the requested data and transmit the rendered data to the client.

By utilizing both a proxy server and a processing server, "...embodiments of the invention permit significant reductions in communication load transmitted to the client

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[and] "...reduce latency", Applicants' Specification, Page 6, Paragraph 22.

Applicants note that utilization of two separate servers and the division of labor therebetween result in efficiencies such as higher processing capacity for each of the proxy server and the processing server, and, therefore, reduced overall latency with respect to provision of rendered data. Such utilization further results in reduced or eliminated product and processing requirements on the part of the client; i.e., the processing server eliminates the need on the client side for rendering software as well as the processing associated with receipt and rendering of high volumes of data in their original format.

The rationale in the Final Office Action for maintaining the rejection was "Dutta clearly teaches a system in multiple clients/servers environment", and cites to Fig. 4, and col. 5, 1.30-43 of Dutta. Applicants first note that a system in a client/server environment fails to teach anything specific about the transcoding proxy server of Dutta. It is not sufficient that the transcoding proxy server of Dutta could be modified. Column 5, lines 30 - 43 and Figure 4 of Dutta actually describe and depict:

With reference to FIG. 4, there is shown a pictorial representation illustrating the functioning of a transcoding proxy server. Transcoding proxy server 402 is functionally connected to provide communication between clients 404, 406, 408 and 410 and originating servers 412, 414 and 416. In the depicted example, client 404 is a personal computer, client 406 is a laptop computer, client 408 is a personal digital assistant (PDA), and client 410 is a facsimile machine (FAX). Also in the depicted example, originating server 412 is a Lotus Notes server, originating server 414 is a DB2 server, and originating server 416 is a web server. It should be noted that other devices not shown could also be connected, and that some

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devices shown may not be connected in other embodiments.

The MPEP requirements for an anticipation rejection are:

"The identical invention must be shown in as complete detail as is contained in the ... claim." . . . The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required.

MPEP, §2101, 8th Ed., Rev. 2, p. 2100-120 (May 2004).

Thus, for an anticipation rejection Dutta must teach both the transcoding proxy server and the processing server to the same level of detail as recited in Applicants' claims.

Dutta clearly describes a single server and its function; namely, "the functioning of a transcoding proxy server" and "a transcoding proxy server that provides communication between clients...and originating servers." Consistent with the foregoing description, Figure 4 depicts a single transcoding proxy server annotated as such.

As noted in the Office Action, Dutta further teaches:

In a preferred embodiment, a transcoding proxy server receives a request for content from a client machine. The transcoding proxy server retrieves the content from an originating server. The retrieved content is provided in a first format type. In response to a determination that an increase in efficiency would be obtained by allowing the client to process the content into a second format type, the transcoding proxy server sends the content to the client in the first format type.

Dutta, Col. 2, lines 41 - 49.

Thus, the one and only transcoding proxy server of Dutta receives a request, retrieves content in a first format type from an originating server, and sends the content in the first format type to the client for processing of the content by the client into a second format type.

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The rejection has failed to cite any teaching of a processing server. Instead, the rejection cites to Dutta, Column 2, lines 53 -54, as teaching exactly the processing server. This section of Dutta unambiguously taught that Dutta relies on the **client**, and not any server, to perform the rendering. Thus, the cited section of Dutta fails to provide the processing server and fails to provide the functionality of the processing server, including the process of rendering the data. The cited section of Dutta fails to provide the client with rendered data. In fact, Dutta teaches away from the processing server and its generation of rendered data, and the subsequent transmission of rendered data to the client in so much that Dutta teaches sending the original (unrendered) data to the client, where the client must provide, or be provided, the resources necessary to render the data into a desired visual format. After receiving the entire volume of unprocessed data in its original format (as well as the content processing software in some cases), the client must then expend the resources necessary to render the data into a second format.

Thus, the rejection fails to demonstrate that Dutta shows "[t]he identical invention . . . in as complete detail as is contained in the ... claim." Therefore, according to the MPEP, Dutta fails to anticipate Claim 1. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 1.

Claims 2 to 9 depend from Claim 1. Therefore, each of Claims 2 to 9 distinguishes over Dutta for at least the same reasons as Claim 1. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 2 to 9.

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With respect to Claim 10, the Office Action stated:

Regarding claims 10-20, have similar limitations as claims 1-9. Therefore, claims 10-20 are rejected for the same reasons set forth in the rejection of claims 1-9.

Applicants respectfully traverse the anticipation rejection of Claim 10. Claim 10 recites in part:

- ...generating a rendering request for transmission to a processing server. . .
- ...generating rendered data by rendering data at the processing server. . .
- ...transmitting the rendered data to the client.

As noted above with respect to Claim 1 and incorporated herein by reference, the Office Action has cited only a "transcoding proxy server" in Dutta. The Office Action fails to cite generating a rendering request for transmission to a processing server; fails to cite generating rendered data by rendering data at the processing server; and fails to cite transmitting the rendered data to the client. As noted above, and incorporated herein by reference, Dutta teaches away from transmitting the rendering request to a processing server and having the processing server render the data, then provide the rendered data to the client.

Next, the Office Action stated:

Dutta teaches that the proxy server translates (generates) the request from a format sent by client to a format compatible with the particular originate server, ..receives the request, in a format compatible with the particular originating server generating render data). And, once the transcoding proxy server has completed transcoding the requested content, the requested content is sent to requesting clients. (Dutts [Sic], col.6, 1.40-

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46, corresponds to the transmitting the rendered data to the client).

Applicants respectfully note that the rejection modifies the definitions used in Dutta. Dutta distinguishes between "transcoding" and "rendering", as set out in Dutta, Column 2, lines 50-55. Therefore, the rejection improperly modifies the teachings of Dutta when it equates "transcoding" with "rendering". Without such modification, the rejection fails to shown **rendering** of data, as recited in Claim 10.

Further, assuming arguendo that the transcoding proxy server of Dutta renders the requested data, the rejection fails to show anything regarding generating rendered data **at the processing server** and actually teaches away from the invention delimited by the claim language of Claim 10. In such a case, the transcoding proxy server of Dutta would necessarily be forced to examine all requests and all data passing through it in all directions, to perform all processing of the data dynamically based on criterion or conditions known by the server. The foregoing tasks would render the transcoding proxy server of Dutta incapable of at least: (1) efficiently determining processing requirements; (2) designating processing servers for processing; (3) directing the original data to bypass the transcoding proxy server in favor of transmission directly from an originating server to a processing server; and (4) utilizing its own resources to manage the requests for data, as heretofore discussed in detail.

Once again, the rejection fails to find the foregoing elements of Claim 10 in as complete a detail as set out in Applicants' claim. Therefore, Dutta fails to anticipate Claim 10. Applicants respectfully request reconsideration and withdrawal of Claim 10.

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Claims 11 to 22 depend from Claim 10. Therefore, each of Claims 11 to 22 distinguishes over Dutta for at least the same reasons as Claim 10. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 11 to 22.

With respect to Claim 23, the Office Action stated:

Regarding claims 23-34, which render the computer-based method. . . have similar limitations as claims 10-22. Therefore, claims 23-34 are rejected for the same reasons set forth in the rejection of claims 10-22. ...Claims 11-34 depend from claim 10 are also rejected.

Applicants note that Claims 23 through 34 do not depend from Claim 10. Applicants have assumed the "11-34" is an error, and should be "11-22".

Applicants respectfully traverse the anticipation rejection of Claim 23.

Claim 23 recites in part:

...authorizing a processing server to render the data at and to transmit the rendered data to the client.

As noted above, and herein incorporated by reference, the Office Action fails to cite generating rendered data by rendering data at the processing server.

The rejection fails to find the foregoing elements in as complete a detail as set out in Applicants' claim. Therefore, Dutta fails to anticipate Claim 23. Applicants respectfully request reconsideration and withdrawal of Claim 23.

Claims 24 to 34 depend from Claim 23. Therefore, each of Claims 24 to 34 distinguishes over Dutta for at least the same reasons as Claim 23. Applicants respectfully request

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reconsideration and withdrawal of the anticipation rejection of each of Claims 24 to 34.

Applicants respectfully traverse the anticipation rejection of Claim 35.

With respect to Claim 35, the Office Action stated that claim 35 has a similar limitation as Claim 10 and is therefore rejected for the same reason set forth in the rejection of Claim 10.

Claim 35 recites in part:

...receiving a message at a processing server to render data requested by a client;
...retrieving the requested data from an intermediate data store;
...transmitting the requested data to the processing server;
...rendering the requested data at the processing server; and
...transmitting the rendered data to the client.

With respect to Claim 35, the Office Action stated in part:

receiving a message at a processing server to render data requested by a client (Dutta[Sic], col.5, 1.50-53);

Dutta actually stated at this location:

ing content; client 408 supports a Scalable Vector Graphics (SVG) format for sending and receiving content; and client 410 supports a Wireless Markup Language (WML) format for sending and receiving content. Furthermore, each origin-

As noted above and herein incorporated by reference, the cited sections of Dutta teach nothing about a processing server. The foregoing section teaches nothing about receiving

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a message at processing server to render data requested by a client. The fact that a client can send and receive data in a particular format fails to teach anything about this element of Claim 35.

Next, the Office Action stated:

...retrieving the requested data from an intermediate data store (Dutta, col.6, 1.58-60);

Dutta stated at this location:

That is to say, the transcoding proxy server may transfer to the client any of the intermediate outputs and the associated content analyzer to the client.

Transferring intermediate outputs to the client fails to teach or suggest anything concerning retrieving data.

Next, the Office Action stated:

...transmitting the requested data to the processing server (Dutta, col.5, 1.66-67);

Dutta stated at this location:

Transcoding proxy server 402 receives requests for content located on one of originating servers 412, 414 or 416

As discussed above and incorporated herein by reference, the cited sections of Dutta teach nothing about the transmission of data in general; nothing about specifically transmitting the requested data anywhere; and nothing about transmission of anything to a processing server.

Next, the Office Action stated:

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...rendering the requested data at the processing server
(Dutta, col. 6, 1.1-5);

Dutta stated at this location:

From one of clients 404, 406, 408 or 410. At the time transcoding proxy server 402 receives the request for content, it also receives information about the capabilities of client 404, 406, 408 or 410, including what data formats are acceptable. Furthermore,

Again, as set out above and incorporated herein by reference, this section teaches nothing about rendering data at all, let alone teaching the details found in the claim language; i.e., rendering the requested at the processing server.

Any of the foregoing distinctions are sufficient to overcome the anticipation rejection in view of the above quotation of the MPEP. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 35.

Claims 36 to 38 depend from Claim 35. Therefore, each of Claims 36 to 38 distinguishes over Dutta for at least the same reasons as Claim 35. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 36 to 38.

Applicants respectfully traverse the anticipation rejection of Claim 39.

Claim 39 stated in part:

rendering the data at a processing server; and
transmitting the rendered data to the client.

With respect to Claim 39, the Office Action stated:

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...[F]ig. 1 is a pictorial representation of a distributed data processing system, and Fig. 4, based on fig. 1 is a representation of proxy transcoding server system. (Dutta, col. 3, l. 10-13)...In addition, Dutta discloses that the receiving a request for the data from a client at a proxy server (Dutta, col.6, l.26-30), and transmitting the rendered data to the client (Dutta, col.6, l.42-46).

As heretofore noted and incorporated herein by reference, the cited sections of Dutta fail to teach anything at all regarding rendering data at a processing server. The rejection again fails to find each and every element in as much detail as Applicants' claim. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 39.

Claims 41 to 52 depend from Claim 39. Therefore, each of Claims 41 to 52 distinguishes over Dutta for at least the same reasons as Claim 39. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 41 to 52.

Applicants respectfully traverse the anticipation rejection of Claim 40.

Claim 40 recites in part:

to authorize a processing server to retrieve and render the requested data in accordance with the determination of the proxy server, and to transmit the rendered data to the client;

The Office Action states:

Dutta clearly teaches the transcoding proxy server then translates the request.... (Dutta, col. 5, l.8-15, l.55-60).

Applicants again note and incorporate herein by reference that the cited sections of Dutta fail to teach authorization of

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a processing server and retrieval of data by a processing server, rendering of data by a processing server, or transmittal of data rendered by a processing server, as previously discussed.

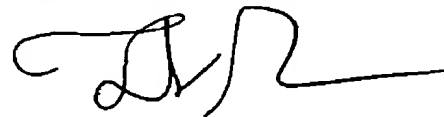
Any of the foregoing distinctions are sufficient to overcome the anticipation rejection in view of the above quotation of the MPEP. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 40.

Claims 1 to 52 remain in the application. For the foregoing reasons, Applicants respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicants.

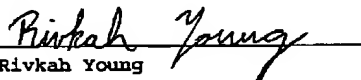
CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. (571) 273-8300, on August 31, 2005.

Respectfully submitted,



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Date of Signature